

**DEPARTMENT OF CONSUMER AFFAIRS
LEGISLATIVE DIGEST
2008 Legislative Session**

**AB 1185
Hayashi**

Accountants: Peer Review Program

Would have required that the Board of Accountancy review and evaluate whether to implement a peer review program and report its findings to the Legislature and the Department of Consumer Affairs no later than September 1, 2008, rather than the existing due date of September 1, 2011.

**Died in Senate
Business,
Professions &
Economic Dev
Committee**

**AB 2473
Niello**

Accountancy: Licensure

Would have eliminated the notification process and fees required for accountants licensed in another state to practice in California; modified the notification requirements for firms licensed in another state to practice in California; and rephrased statutory language by changing the term "practice privilege" to "cross border practice" in statute.

**Died in
Assembly
Business &
Professions
Committee**

**SB 654
Denham**

Accountants: Licensing Examination

Would have provided that, for the purposes of qualifying applicants for admission to the accounting licensing examination and issuing certified public accountant licenses, the date on which an educational institution applied for accreditation shall be accepted as the date on which the institution was accredited if the accreditation was obtained at any time during the 5-year period subsequent to the application.

**Failed in
Senate
Business &
Professions
Committee**

**SB 136
Cedillo**

Acupuncture: Tui Na

Would have deleted the term "Asian massage" and instead would have authorized the holder of an acupuncturist's license to perform or prescribe the use of Tui Na. Would have defined Tui Na for purposes of that provision as a hands-on body treatment that uses pressure techniques, including myofascial release and manual therapy.

**Died in Senate
Business,
Professions &
Economic Dev
Committee**

**SB 963
Ridley-
Thomas**

Department of Consumer Affairs: Regulatory Boards

Extends the sunset date for the Acupuncture Board from July 1, 2009 to January 1, 2011.

**Enacted
Chapter 385**

**AB 1925
Eng**

Franchise Tax Board: Professional or Occupational Licenses

Would have required a state governmental licensing entity issuing professional licenses, certificates, registrations, or permits to provide to the

**Failed in Senate
Revenue &
Taxation
Committee**

Franchise Tax Board (Board) the name and social security number or federal identification number of each licensee of that entity. Would have also required the Board to send a preliminary notice of suspension to a licensee that fails to pay taxes for which a notice of state tax lien has been recorded, and provided that the license of a licensee who fails to satisfy the unpaid taxes by a certain date shall be automatically suspended.

AB 2118
Villines

State Agencies: Administrative Regulations

Would have required that a state agency not adopt a regulation that would require any person or entity to use a specific technology unless that technology had been operational and proven effective for more than two years; or would place an undue burden on California business on an annual basis and result in significant loss of jobs.

**Died in
Assembly
Business &
Professions
Committee**

AB 2423
Bass

Professions & Vocations: Licensure

Establishes or modifies the authority and procedures for granting an initial probationary license, and establishes special procedures for the denial of a license based on an applicant's criminal history for the Bureau of Automotive Repair, Bureau of Barbering and Cosmetology, Bureau of Security and Investigative Services, Veterinary Medicine Board, Structural Pest Control Board, and the Bureau of Vocational Nursing and Psychiatric Technicians, within the Department of Consumer Affairs.

**Enacted
Chapter 675**

AB 2427
Eng

Professions & Vocations

Would have amended the Business and Professions Code to explicitly state that local governments could not regulate or prohibit licensees of health care professions in the Department of Consumer Affairs from performing established occupational practices that are within the scope of their license.

Vetoed

AB 2641
Cook

Military Service: Protection: Mediator

Authorizes the Governor and each state agency and department to appoint a mediator to take complaints and to resolve and coordinate the resolution of those complaints from state employees that are members of the California National Guard or members of a reserve component of the Armed Forces of the United States.

**Enacted
Chapter 642**

SB 374
Harman

Military Service: Benefits

Would have required any board, commission, or bureau of the Department of Consumer Affairs (Department) to waive the initial license fee and renewal fee for any professional license issued under the regulation of the Department for any qualified active member of the Armed Forces, or their spouse.

**Died in Senate
Appropriations
Committee**

SB 618
Alquist

State Agencies: Electronic Records

Would have required each state agency, no later than January 1, 2010, to maintain all of its records in an electronic format.


**Died in Senate
Appropriations
Committee**

SB 721
Ashburn

State Agencies: Succession Plans

Would have required every state agency to establish and implement a succession plan by January 1, 2010 and report to the legislature on the success or failure of this plan by January 1, 2012.

**Died in
Assembly
Appropriations
Committee**

SB 1402 Corbett	<u>Reporting Requirements</u>	Vetoed
	Would have added 10 specified Boards and Bureaus within the Department of Consumer Affairs to the entities required to provide licensing status information online; required a chiropractor to report to the Board of Chiropractic Examiners (Board) the bringing of an indictment or information regarding a felony against them or their conviction of any felony or misdemeanor; and required an insurer providing professional liability insurance to a chiropractor to send a complete report to the Board of any settlement or arbitration award of over \$2,000 of a claim or action for damages meeting certain criteria.	
SB 1441 Ridley-Thomas	<u>Healing Arts Practitioners: Substance Abuse</u>	Enacted Chapter 548
	Establishes the Substance Abuse Coordination Committee within the Department of Consumer Affairs (Department) for the purpose of determining uniform standards to be used by healing arts boards in dealing with substance-abusing licensees, establishes diversion program manager positions in specified boards to review and evaluate recommendations of those boards' diversion evaluation committees, and states the intent of the Legislature that the Department perform an audit of the existing contractor for several boards' diversion programs.	
SB 1494 McClintock	<u>State Agency Web Sites: Information</u>	Died in Senate Appropriations Committee
	Would have required each state department and agency to develop and operate a Web site accessible by the public that includes specified information relating to expenditures of state funds.	
SB 1696 Yee	<u>California Public Records Act: Disclosure</u>	Enacted Chapter 62
	Prohibits a state or local agency from entering into a confidentiality agreement or other contract to make information confidential or disclosable if that information is otherwise subject to disclosure under the California Public Records Act.	
		
SB 1312 Yee	<u>Registered Interior Designers</u>	Died on Senate Inactive File
	Would have created the Registered Interior Designers Committee within the jurisdiction of the California Architects Board. Would have provided for the registration and regulation by the committee and the board of persons that engage in the practice of registered interior design and would have added one registered interior designer and an additional public member to the board. Also would have authorized the committee to issue a certificate of registration to a certified interior designer who applies before January 1, 2011.	
SB 1608 Corbett	<u>Disabled Persons: Equal Access Rights: Civil Actions</u>	Enacted Chapter 549
	Requires a person licensed to practice architecture, as a condition of license renewal, to complete coursework regarding disability access requirements, certify that completion to the California Architects Board, and provide specified documentation from the course provider.	

SB 963
Ridley-
Thomas

Department of Consumer Affairs: Regulatory Boards

Extends the sunset date for the Athletic Commission from July 1, 2009 to January 1, 2011.

Enacted
Chapter 385

AB 616
Jones

Smog Check: Annual Inspection: Repair Assistance Program

Would have required the Bureau of Automotive Repair (BAR) to incorporate annual inspection of vehicles that are 15 model years or older into the motor vehicle inspection and maintenance (smog check) program by July 1, 2008. Also would have required BAR to develop a vehicle emissions profile that identifies vehicles or classes of vehicles that are likely to pass annual inspection.

Died in Senate
Rules
Committee

AB 2063
Parra

Smog Check Program: Biennial Inspection

Would have subjected all vehicles registered within the state to biennial inspection, except as specifically exempted, regardless of where in the state the vehicle was registered.

Died in
Assembly
Transportation
Committee

AB 2241
Saldana

Vehicle Operation: Temporary Permits

Requires that a fee of \$50 be paid for each temporary permit issued when a certificate of compliance is required, except that the fee will not be charged for a vehicle that has been accepted into the Bureau of Automotive Repair Consumer Assistance Program if the owner of the vehicle qualifies as an income eligible applicant for the program and presents sufficient evidence of this fact. Also limits the issuance of a temporary permit under these circumstances to a vehicle that has failed its most recent smog check inspection.

Enacted
Chapter 451

AB 2316
Ruskin

Greenhouse Gas Emission Reductions

Would have required the Milton Marks "Little Hoover" Commission on California State Government Organization and Economy, on or before January 1, 2010, to conduct a study and make recommendations to the Legislature on the consolidation, improvement, and greenhouse gas emissions reduction contributions of existing vehicle retirement programs.

Died in
Assembly
Appropriations
Committee

AB 2423
Bass

Professions & Vocations: Licensure

Establishes or modifies the authority and procedures for granting an initial probationary license, and establishes special procedures for the denial of a license based on an applicant's criminal history, for the Bureau of Automotive Repair, within the Department of Consumer Affairs.

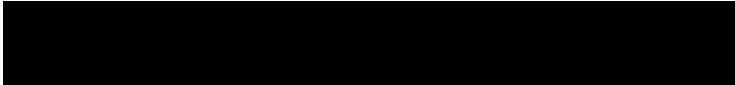
Enacted
Chapter 675

AB 2825
Carter

Automotive Repair: Crash Parts

Would have authorized the customer to receive copies of invoices from the distributor, dealer, or manufacturer for all specified crash parts installed for which the customer is charged in excess of \$50 and required automotive repair dealers to provide these invoices upon request by the customer.

Vetoed

AB 3053 Jones	<u>Smog Check: Annual Inspection: Repair Assistance Program</u> Would have required the Department of Consumer Affairs to incorporate the annual inspection of motor vehicles that are models 15 years old or greater into the motor vehicle inspection and maintenance program by January 1, 2010, and would have required funds generated through additional inspection fees to be deposited into the High Polluter Repair or Removal Account. This bill was very similar to AB 616 (Jones) this session.	Died in Senate Appropriations Committee
SB 1167 Wiggins	<u>Insurance: Vehicle Repair Task Force</u> Would have required the Insurance Commissioner, within a specified time period, to convene a task force to review the issues arising from the implementation of these requirements (no insurer can direct, suggest or recommend a customer to a specific automotive repair dealer) and report its findings in writing to the Legislature by December 31, 2009.	Vetoed
SB 1371 Correa	<u>Insurance: Automobile Repair Capping</u> Prohibits insurers from capping charges for paint and related materials.	Enacted Chapter 526
SB 1549 Florez	<u>Smog Check Program: Exemptions</u> Before this bill was gutted and amended, it would have excluded from the smog check exemptions new car owners of pre-1976 vehicles within the boundaries of the San Joaquin Valley Unified Air Pollution Control District on or after January 1, 2009.	Vetoed
SB 1573 Florez	<u>Smog Check Program: Emission Standards</u> Would have required the Air Resources Board, in consultation with the Department of Consumer Affairs (Department), to prescribe emission standards (as opposed to the current system where the Department prescribes the standards). The Department would have been responsible for implementing and enforcing these standards.	Vetoed
		
AB 518 Mendoza	<u>Barbering & Cosmetology: Threading</u> Excludes threading, a hair removal technique, from the practice of barbering and cosmetology indefinitely.	Enacted Chapter 187
AB 1545 Eng	<u>Professions & Vocations: Barbering & Cosmetology</u> Establishes a new State Board of Barbering & Cosmetology, within the Department of Consumer Affairs on January 1, 2009, and establishes the authorization for the new board to appoint an executive officer. The board and their authorization to appoint an executive officer sunset on July 1, 2008. Also establishes guidelines to allow the former members and executive officer of the board who were members and executive officer at the time the board sunset to serve in an interim capacity until board members and an executive officer are appointed to the new board.	Enacted Chapter 35
AB 2423 Bass	<u>Professions & Vocations: Licensure</u> Establishes or modifies the authority and procedures for granting an initial probationary license, and establishes special procedures for the denial of a	Enacted Chapter 675

license based on an applicant's criminal history, for the Bureau of Barbering and Cosmetology, within the Department of Consumer Affairs.

**SB 797
Ridley-
Thomas**

Professions & Vocations

**Enacted
Chapter 33**

Allows the executive officers of the following boards-Dental Board, Speech-Language Pathology and Audiology Board, Board of Vocational Nursing and Psychiatric Technicians, and Board of Barbering and Cosmetology, which sunset on July 1, 2008, to continue in their positions, operating under the Department of Consumer Affairs past their inoperative dates, subject to the appointment by the governor, until January 1, 2009.
(Urgency Measure)

**SB 1579
Calderon**

Medical Referrals

**Died in Senate
Business,
Professions &
Economic Dev
Committee**

Would have allowed licensed barbers and cosmetologists to be compensated for providing information and advice to their clients on hair loss, including a referral to a hair restoration physician for a hair restoration educational consultation.



**AB 164
Smyth**

Immunity: Marriage & Family Therapy Schools

**Enacted
Chapter 23**

Extends immunity granted to individuals who communicate information to specified entities to include a marriage and family therapy school that aides in the evaluation of students and trainees.

**AB 239
DeSaulnier**

Alcoholism & Drug Abuse Counselors

Vetoed

Would have enacted the Alcoholism and Drug Abuse Counselors (ADAC) Licensing Law and provided for the licensing, registration and regulation of alcohol and drug abuse counselors and interns by the Board of Behavioral Sciences. Would also have added one licensed ADAC to the Board and required the Governor to appoint an additional public member to the Board, on or after January 1, 2011.

**AB 1367
DeSaulnier**

Alcoholism & Drug Abuse Counselors

**Died in
Assembly
Appropriations
Committee**

Would have enacted the Alcoholism and Drug Abuse Counselors (ADAC) Licensing Law and provided for the licensing or registration and regulation of alcohol and drug abuse counselors and interns by the Board of Behavioral Sciences. Would have also added one licensed ADAC to the Board and required the Governor to appoint an additional public member to the Board.

**AB 1486
Calderon,
Charles**

Licensed Professional Counselors

**Died in
Senate
Appropriations
Committee**

Would have provided for the licensure and regulation of licensed professional counselors (LPC) and interns by the Board of Behavioral Sciences (Board), added four additional members to the Board, and enacted various requirements for LPCs, interns, and trainees including, but not limited to, field training requirements, practice requirements, and enforcement specifications.

**AB 1897
Emmerson**


Marriage & Family Therapists: Licensure


**Enacted
Chapter 489**

Allows the required doctor's or master's degree of applicants for licensure as a marriage and family therapist to be obtained from an educational

institution accredited by an equivalent agency of the Western Association of Schools and Colleges, as determined by the Board of Behavioral Sciences. Also makes these provisions inoperative on the date that legislation that reestablishes the Bureau of Private Postsecondary and Vocational Education or a successor agency/act, becomes operative.

AB 1922 Hernandez	<u>Healing Arts Practitioners: Peer Review</u>	Enacted Chapter 25
	Revises the definition of “licentiate” in Business and Professions Code Section 809 to include marriage and family therapists and licensed clinical social workers who since 1999 have been “licentiates” who may be reported under Section 805, which describes the licentiates who are subject to peer review activity.	
AB 1951 Hayashi	<u>Mental Health: Capital Facilities</u>	Vetoed
	Before this bill was amended, it would have required a psychologist, marriage and family therapist, educational psychologist, clinical social worker, or physician and surgeon to complete six hours of coursework in suicide prevention, assessment, intervention, and post-intervention strategies, including training in community resources and an understanding of cultural factors that promote help-seeking behavior as a condition of license renewal. This bill was later amended and no longer impacted the Department of Consumer Affairs.	
AB 2543 Berg	<u>Geriatric & Gerontology Workforce Expansion Act</u>	Vetoed
	Would have established a \$10 supplementary fee for licensed clinical social workers (LCSWs) and marriage and family therapists (MFTs) to fund an education loan repayment program for LCSWs, MFTs, associate-LCSWs, and MFT-interns working in geriatric care settings.	
SB 963 Ridley-Thomas	<u>Department of Consumer Affairs: Regulatory Boards</u>	Enacted Chapter 385
	Extends the sunset date for the Board of Behavioral Sciences from July 1, 2009 to January 1, 2011.	
SB 1218 Correa	<u>Marriage & Family Therapy: Licensure & Registration</u>	Vetoed
	Would have updated current education requirements for marriage and family therapists (MFTs); allowed for a portion of required supervision of MFT applicants to be gained through teleconferencing; required MFT interns to provide a copy of their W-2 tax forms; and permitted group supervision to be provided in one-hour increments, as long as both increments are provided in the same week as the experience claimed.	
SB 1505 Yee	<u>Board of Behavioral Sciences: Fees</u>	Vetoed
	As introduced, this bill would have, effective July 1, 2009, increased the license renewal surcharge collected from Marriage and Family Therapists (MFTs) and Licensed Clinical Social Workers (LCSWs) and deposited into the Mental Health Practitioner Education Fund from \$10 to \$30. In addition, the bill would have stated legislative intent that the Board of Behavioral Sciences reduce the biennial license fees for MFTs and LCSWs by \$20. The bill was later amended to whistleblower protection.	

SB 1779 Business, Professions & Econ Dev Com	<u>DCA Omnibus Bill</u> Would have made several non-controversial, minor, non-substantive or technical changes to various provisions pertaining to the regulatory boards and bureaus of the Department of Consumer Affairs.	Vetoed
		
AB 1816 Galgiani	<u>Cemeteries: Temporary Manager</u> Would have authorized a court to appoint a temporary cemetery manager to manage a cemetery for a limited term if it was found that the existing cemetery manager had ceased to perform his/her duties. The court would have been required to appoint a licensed cemetery manager, unless no licensed manager could be found, in which case the court could appoint any qualified person. <i>(Urgency Measure)</i>	Vetoed
AB 1911 Galgiani	<u>Funeral Establishments</u> Requires a person whose license has been revoked, suspended, placed on probation, or surrendered under a stipulated decision by the Cemetery and Funeral Bureau (Bureau) and who works for or is applying to work for a funeral establishment or cemetery to report that fact to the funeral director, cemetery manager, crematory manager, or cemetery broker employing the person, and require the employer to notify the Bureau.	Enacted Chapter 490
AB 2946 Hayashi	<u>Cemeteries</u> Reestablishes the quarterly charge of not more than \$8.50 paid to the Cemetery and Funeral Bureau by every cemetery authority for each burial, entombment, or inurnment.	Enacted Chapter 504
SB 824 Padilla	<u>Department of Consumer Affairs: Assumption of Jurisdiction</u> Would have deleted obsolete implementation dates and language regarding the Cemetery Board, the Funeral Directors and Embalmers Board, and the Structural Pest Control Board.	Died in Senate Business, Professions & Economic Dev Committee
SB 1135 Ducheny	<u>Cemeteries: Endowment Trust Funds</u> Amends the Health and Safety Code to increase the minimum amounts an endowment care cemetery is required to deposit in its endowment care fund.	Enacted Chapter 545
SB 1225 Harman	<u>Private Cemeteries: Limited Liability Companies</u> Permits limited liability companies (LLC) to own and operate private cemeteries and provide services through licensed cemetery employees, provided that the LLC maintains specified security or insurance to cover liability.	Enacted Chapter 114
SB 1779 Business, Professions & Econ Dev Com	<u>DCA Omnibus Bill</u> Would have made several non-controversial, minor, non-substantive or technical changes to various provisions pertaining to the regulatory boards and bureaus of the Department of Consumer Affairs.	Vetoed

SB 1780 Business, Professions & Econ Dev Com	<u>DCA Non-Health Omnibus Bill</u> Would have made several non-controversial, minor, non-substantive or technical changes to various provisions relating to the non-health boards of the Department of Consumer Affairs.	Died on Assembly Inactive File
		
AB 455 Cook	<u>Contractors State License Board</u> Would have provided that concurrence of a majority of the duly sworn members of the Contractors State License Board (Board) shall be necessary to constitute an act or decision of the Board.	Died on Senate Inactive File
AB 456 Cook	<u>Construction Management Education Account</u> Would have continuously appropriated funds in the Construction Management Education Account in the Contractors' License Fund for the purposes of construction management education.	Died in Senate Appropriations Committee
AB 611 Nakanishi	<u>Contractors: Arbitration Procedures</u> Would have increased the maximum monetary limit that would allow a disciplinary case to go to voluntary arbitration to \$100,000 (from \$50,000).	Died on Senate Inactive File
AB 2288 Torrico	<u>Automatic Fire Extinguishing Systems: Certificate of Registration</u> Would have required the State Fire Marshal to expand regulations and building standards to include the installation of automatic fire extinguishing systems, and would no longer have required consideration of the voluntary standards. Also would have provided that any licensed contractor who violated any of the building laws or standards enacted or adopted pursuant to these provisions would be subject to disciplinary action by the Contractors' State License Board.	Died in Senate Rules Committee
AB 2335 Nakanishi	<u>Building Permits</u> Repeals separate provisions and creates a single provision that combines and modifies the existing forms, declarations, and notice to the property owner and expands the acknowledgments property owners are required to make.	Enacted Chapter 66
AB 2336 Nakanishi	<u>Contractors: Arbitration Procedures</u> Would have increased the maximum monetary limit that would allow a disciplinary case to go to voluntary arbitration to \$100,000 (from \$50,000). This bill died and the language was moved to AB 611 (Nakanishi).	Died in Assembly Judiciary Committee
AB 2347 Ruskin	<u>Mercury-Added Thermostats: Collection Program</u> Enacts the Mercury Thermostat Collection Act of 2008 and requires a manufacturer that owns or owned a name brand of mercury-added thermostats sold in this state before January 1, 2006, to establish and maintain a collection, transportation, recycling, and disposal program for out-of-service mercury-added thermostats.	Enacted Chapter 572

AB 2412 Eng	<u>Unlicensed Contractors</u> Would have revised the punishments that can be imposed on an unlicensed contractor, and provided that a person who used the services of an unlicensed contractor is a victim of crime, regardless of whether that person had knowledge the contractor was unlicensed.	Vetoed
AB 2479 Hancock	<u>Civil Actions: Energy Efficiency Standards</u> Before this bill was gutted and amended, it would have established civil penalties for unlicensed contractors who failed to comply with energy efficiency standards, made specified changes to the regulation of licensed contractors, and directed the Contractors State License Board to submit specified reports to the legislature relating to the regulation of contractors.	Vetoed
AB 2738 Jones	<u>Indemnification: Construction Contracts</u> Provides that if a builder or contractor tenders a claim, or a portion thereof, to a subcontractor, the subcontractor shall be entitled to either defend the claim with counsel of its choice or pay, within 30 days of receipt of an invoice from the builder or general contractor, no more than a reasonable allocated share of the builder's or general contractor's defense fees and costs. Also provides that a builder, general contractor, or subcontractor has the right to seek equitable indemnity for construction defect claims.	Enacted Chapter 467
SB 355 Margett	<u>Contractors: Consultants</u> Would have defined a contractor to include a person who directs and controls subcontractors' schedules or other activity integral to the completion of an improvement project. Also would have defined a contractor to include an individual or firm proposing to provide construction management services on state construction projects.	Died in Assembly Business & Professions Committee
SB 569 Steinberg	<u>Public Works: Prevailing Wage Payments: Payroll Records</u> Would have required the body awarding a public work contract, for which the overall construction cost is greater than \$100,000, to report to the Contractors' State License Board the name and license number of each contractor and subcontractor performing the public work and the name, location, and identification number of the public works project for which the contract is awarded, as provided.	Died in Assembly Appropriations Committee
SB 738 Calderon	<u>Works Of Improvement</u> Would have required a contractor, prime contractor or subcontractor, on all public works of improvement, to pay the subcontractor within 7 days, rather than 10 days, of receipt of each progress payment and would require subcontractors and suppliers to file preliminary notices in order to enforce a claim against a bond.	Died in Senate Judiciary Committee
SB 963 Ridley-Thomas	<u>Department of Consumer Affairs: Regulatory Boards</u> Extends the sunset date for the Contractors State License Board from July 1, 2009 to January 1, 2011.	Enacted Chapter 385
SB 1337 Correa	<u>Contractors: Limited Liability Companies</u> Would have authorized a limited liability company to render services lawfully rendered only pursuant to a specified license, certificate, or	Died in Senate Judiciary Committee

registration if the provisions governing that license, certificate, or registration authorized a limited liability company to hold that license, certificate, or registration. Also would have authorized the issuance of contractors' licenses to limited liability companies and would have authorized the responsible managing manager, responsible managing officer, or responsible managing employee of the limited liability company to qualify for that license.

SB 1362
Margett

Electrician Certification

Enacted
Chapter 716

Authorizes the Contractors State License Board (Board), in addition to any other fees charged to C-10 and C-7 contractors, to charge a fee not to exceed \$20, to be used by the Board to enforce provisions of the Labor Code related to electrician certification. Also provides that a C-10 electrical contractor that (1) willfully employs one or more uncertified persons to perform work as an electrician, (2) willfully fails to provide the adequate supervision of uncertified workers, or (3) willfully fails to provide adequate supervision of apprentices performing work, would be subject to disciplinary action, including license suspension or revocation.

SB 1432
Margett

Contractors

Enacted
Chapter 157

Requires that the contractor's bond and the qualifying individual's bond be for the benefit of a property owner contracting for the construction of a single-family dwelling who is damaged as a result of a violation of the Contractors' State License Law, if the dwelling is not intended or offered for sale at the time the damages were incurred. Also increases the amount (from \$4,000 to \$6,500) a natural person can seek in small claims court against a defendant guarantor that charges a fee for its guarantor or surety services.

SB 1449
Calderon

Works Of Improvement: Liens

Died in
Assembly
Judiciary
Committee

Would have required each subcontractor or material supplier entitled to a payment bond claim or stop notice on a public work of improvement in an amount greater than \$400 to provide specified information regarding other subcontractors or material suppliers with which that person contracted that are entitled to file a claim on the surety bond on that work of improvement.

SB 1508
Corbett

Seismic Safety Standards: Strengthening Standards

Died in
Assembly
Appropriations
Committee



Would have required that the license examinations for a General Contractor's license and a Carpentry and Framing License ensure that a licensee applicant had sufficient knowledge to perform the seismic strengthening of cripple walls and sill plate anchorage of light, wood frame residential buildings.

SB 1581
Aanestad



Contractors




Failed in
Assembly
Judiciary
Committee

Would have provided that a contractor furnishing a performance and payment bond approved by the registrar of contractors need not include, as part of the contract, a notice stating that the owner or tenant has the right to require the contractor to have a performance and payment bond provided that the contractor gives the owner tangible evidence of the bond and is exempt from certain typeface point size requirements as long as the required notices and statements meet specified legibility and readability standards.

SB 1691 Lowenthal	<u>Mechanics Liens</u> Would have recast and revised the mechanics lien law by moving certain provisions into the Public Contract Code (regarding public works) while keeping the majority of the existing and proposed parts of mechanics lien law in the Civil Code. Also would have provided that the provisions of this bill would take effect on January 1, 2010.	Vetoed
SB 1698 Romero	<u>Contractors: Public Works</u> On and after January 1, 2011, would have prohibited a contractor from performing work as a contractor or subcontractor on a public work contracted by the state or a state agency unless he or she had obtained a public works certification from the Contractors State License Board (Board). Would have required the qualifier for a license to pass a public works certification examination in order to obtain that certification. Also would have required the Board to develop the examination by January 1, 2010, and specified the subjects that the examination must cover.	Vetoed
AB 2189 Karnette	 <u>Shorthand Reporters: Continuing Education Requirements</u> Would have required the Court Reporters Board (Board) to establish, on or before July 1, 2009, minimum approved continuing education requirements for renewal of a shorthand reporter's certificate and required the Board to establish a procedure for approving providers of continuing education courses.	Vetoed
SB 963 Ridley-Thomas	<u>Department of Consumer Affairs: Regulatory Boards</u> Extends the sunset date for the Court Reporters Board of California from July 1, 2009 to January 1, 2011.	Enacted Chapter 385
AB 1545 Eng	 <u>Professions & Vocations: Dentists</u> Establishes a new Dental Board of California (Board), within the Department of Consumer Affairs on January 1, 2009, and establishes the authorization for the new Board to appoint an executive officer. The Board and their authorization to appoint an executive officer sunset on July 1, 2008. Also establishes guidelines to allow the former members and executive officer of the board who were members and executive officer at the time the board sunset to serve in an interim capacity until Board members and an executive officer are appointed to the new Board.	Enacted Chapter 35
AB 2210 Price	<u>Dentistry: Emergency Services</u> Exempts an individual licensed by the Dental Board of California (Board) from being liable in negligence for any personal injury, wrongful death, or property damage caused by the Board licensee's good faith but negligent act or omission when providing emergency medical care during a declared state of emergency. Also, allows the Board to suspend compliance with any provision of the Dental Practice Act committed by Board licensees during a declared state of emergency.	Enacted Chapter 449

AB 2637 Eng	<u>Dental Auxiliaries</u> Abolishes the dental assisting licensing categories that are currently scheduled to take effect January 1, 2010, and replaces those licensing categories with specialty permits, further specifies scope of practice for dental assistants in statute, and sets standards for dental assistant education courses to follow if they are to be accredited by the Dental Board of California.	Enacted Chapter 499
AB 2734 Krekorian	<u>Health Care Practitioners: Business Cards & Advertisements</u> Would have required dentists, physicians, osteopaths, and chiropractors to include their licensing information on advertisements and business cards. A violation by a licensed practitioner would have been punishable by a fine and a violation by an unlicensed person would have been a misdemeanor.	Failed on Assembly Floor
AB 2968 Carter	<u>Cosmetic Surgery</u> Would have required a person to undergo a physical examination by a licensed physician, maxillofacial surgeon, nurse practitioner, or physician assistant, and receive a written clearance prior to any elective cosmetic surgery procedure from a physician or maxillofacial surgeon.	Vetoed
SB 797 Ridley-Thomas	<u>Professions & Vocations</u> Allows the executive officers of the following boards: Dental Board, Speech-Language Pathology and Audiology Board, Board of Vocational Nursing and Psychiatric Technicians and Board of Barbering and Cosmetology, which sunset on July 1, 2008, to continue in their positions, operating under the Department of Consumer Affairs past their inoperative dates, subject to the appointment by the governor, until January 1, 2009. <i>(Urgency Measure)</i>	Enacted Chapter 33
SB 853 Perata	<u>Dentistry: Dental Assistants & Hygienists</u> Abolishes the Committee on Dental Auxiliaries (COMDA) and establishes the Dental Hygiene Committee of California to license and regulate dental hygienists. The responsibility to license and regulate dental assistants is transferred from COMDA to the Dental Board of California. Abolishes the Dental Auxiliary Fund and in its place establishes the Dental Hygiene Fund and the Dental Assisting Fund for dental hygienists and dental assistants respectively. Also reestablishes the Dental Board of California. Changes take effect July 1, 2009.	Enacted Chapter 31
SB 1178 Aanestad	<u>Dentistry: Registered Sex Offenders</u> Makes modifications to the Dental Board of California's ability to revoke a license of a convicted sex offender.	Enacted Chapter 517
SB 1415 Kuehl	<u>Patient Records: Maintenance & Storage</u> Would have required specified healing arts practitioners to provide patients with a statement summarizing the patient's rights regarding medical records and the practitioner's record retention policy, and required healing arts practitioners to notify patients before the early destruction of their medical records.	Vetoed

SB 1441 Ridley-Thomas	<u>Healing Arts Practitioners: Substance Abuse</u>	Enacted Chapter 548
	Establishes the Substance Abuse Coordination Committee within the Department of Consumer Affairs for the purpose of determining uniform standards to be used by healing arts boards in dealing with substance-abusing licensees, establishes diversion program manager positions in specified boards to review and evaluate recommendations of those boards' diversion evaluation committees, and states the intent of the Legislature that the Department perform an audit of the existing contractor for several boards' diversion programs.	
SB 1633 Kuehl	<u>Dental Services: Credit</u>	Vetoed
	Would have set in place procedures and requirements for dentists or a dentist's employee or agent to follow before arranging for or establishing a line of credit that is extended or is to be extended by a third party.	
		
SB 1779 Business, Professions & Econ Dev Com	<u>DCA Omnibus Bill</u>	Vetoed
	Would have made several non-controversial, minor, non-substantive or technical changes to various provisions pertaining to the regulatory boards and bureaus of the Department of Consumer Affairs.	
SB 1780 Business, Professions & Econ Dev Com	<u>DCA Non-Health Omnibus Bill</u>	Died on Assembly Inactive File
	Would have made several non-controversial, minor, non-substantive or technical changes to various provisions relating to the non-health boards of the Department of Consumer Affairs.	
		
AB 2793 Blakeslee	<u>Professional Engineers: Disclosures</u>	Died in Senate Business, Professions, & Economic Dev Committee
	Would have authorized an engineer to disclose to any governmental official information regarding a building or structure that the engineer believed in good faith may have posed a danger to public health or safety. Also would have prohibited a contract between an engineer and a building owner from containing any provision that would have limited or interfered with the engineer's right to provide that disclosure and would have also prohibited a building owner from threatening, or initiating or maintaining legal action against, or otherwise retaliating against an engineer due to that disclosure or the engineer's ability to make that disclosure. Would have made a building owner who violated those provisions liable for a specified civil penalty.	
SB 1779 Business, Professions & Econ Dev Com	<u>DCA Omnibus Bill</u>	Vetoed
	Would have made several non-controversial, minor, non-substantive or technical changes to various provisions pertaining to the regulatory boards and bureaus of the Department of Consumer Affairs.	

SB 1780 Business, Professions & Econ Dev Com	<u>DCA Non-Health Omnibus Bill</u> Would have made several non-controversial, minor, non-substantive or technical changes to various provisions relating to the non-health boards of the Department of Consumer Affairs. 	Died on Assembly Inactive File
AB 1340 Jones	<u>Guardians & Conservators</u> Makes technical clarifying changes regarding accounting documents submitted to courts by guardians and conservators, hearing notices for appointing temporary guardians or conservators, and court procedures for retaining the appointment of professional fiduciaries as guardians or conservators. Also makes changes to guardian and conservator petition requirements as proposed by SB 800 (Corbett, 2007) which was held in the Assembly Appropriations Committee.	Enacted Chapter 293
SB 1215 Harman	<u>Professional Fiduciaries</u> Would have made changes to the statutory definition of "Professional Fiduciary" in the Professional Fiduciaries Act.	Died in Assembly Judiciary Committee
SB 1779 Business, Professions & Econ Dev Com	<u>DCA Omnibus Bill</u> Would have made several non-controversial, minor, non-substantive or technical changes to various provisions pertaining to the regulatory boards and bureaus of the Department of Consumer Affairs.	Vetoed
SB 1780 Business, Professions & Econ Dev Com	<u>DCA Non-Health Omnibus Bill</u> Would have made several non-controversial, minor, non-substantive or technical changes to various provisions relating to the non-health boards of the Department of Consumer Affairs. 	Died on Assembly Inactive File
AB 1284 Eng	<u>Geologists & Geophysicists</u> Deletes the exemption from the written examination for any person with an equivalent certificate of registration and also requires each applicant for registration to pay an examination fee fixed by the board at an amount, up to \$450, equal to the actual cost to the board to administer the written examination.	Enacted Chapter 488
SB 963 Ridley- Thomas	<u>Department of Consumer Affairs: Regulatory Boards</u> Extends the sunset date for the Board for Geologists and Geophysicists from July 1, 2009 to January 1, 2011. 	Enacted Chapter 385
AB 2276 Fuentes	<u>State Board of Guide Dogs</u> Would have extended the sunset date for the State Board of Guide Dogs from July 1, 2011 to July 1, 2016.	Died in Assembly Business & Professions Com



AB 368
Carter

Hearing Aids

Vetoed

Would have required health care service plans and health insurers, on or after January 1, 2009, to offer at minimal cost, coverage up to \$1,000 for hearing aids to all enrollees, subscribers and insureds under 18 years of age to one claim during a 48 month period and would not apply to certain types of insurance.

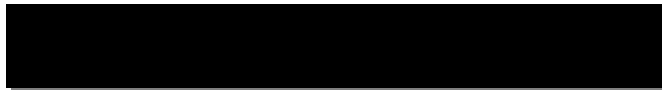


AB 706
Leno

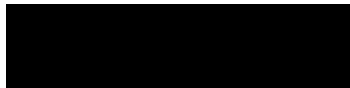
Fire Retardants

**Failed on
Senate Floor**

Would have required the Bureau of Home Furnishing and Thermal Insulation (Bureau) to: repeal Technical Bulletin 117 and replace it with the cigarette ignition resistance standard ASTM E1353-08a; establish an alternative assessment to review the life cycle impacts of components, chemicals, or classes of chemicals used to meet the fire retardancy standards set by the Bureau; and beginning January 1, 2015, prohibit furniture products from containing a component or chemical, that is used to meet the fire retardancy standards set by the Bureau or statute, that has not been certified by the Director of Toxics and Substance Control, to have met the requirements of the alternative assessment that would have established by this bill.



No bills introduced in the 2008 legislative session.



AB 55
Laird

Healing Arts: Referrals, Anti-Kickback Provisions

**Enacted
Chapter 290**

Creates specific exceptions to existing laws that generally preclude healing arts practitioners from receiving any consideration for the referral of a patient. Specifically, this statute stipulates that hospitals, group practices, and other specific persons are not prohibited from providing healing arts practitioners with electronic prescribing systems or electronic health record systems, as those are defined in federal regulations. **(Urgency Measure)**

AB 158
Ma

Medicine: Licensing: Continuing Education Requirements

**Enacted
Chapter 754**

Encourages the Medical Board of California to require physicians to complete a course in the diagnosis and treatment of hepatitis as part of existing continuing education requirements.

AB 214
Fuentes

Public Protection & Physician Health Program Act of 2008

Vetoed

Would have created a diversion-like program for licensed physicians, to be overseen by an independent committee established within the Department of Public Health (DPH) and administered by a physician health program under contract with DPH. The designated physician health program would have entered into agreements with substance-abusing or mentally incapacitated physicians for ongoing treatment and monitoring.



AB 547 Ma	<u>Medical Board of California: Licensure Fees</u>	Vetoed
	Would have authorized the Medical Board of California (Board) to set the initial licensing and renewal fees for a physician and surgeon by regulation, up to a maximum amount defined in statute, and required the Bureau of State Audits to review the Board's financial status by January 1, 2012.	
AB 1944 Swanson	<u>Physicians & Surgeons: Health Care Districts</u>	Died in Senate Health Committee
	Would have repealed an existing pilot project that exempts qualified district hospitals from the prohibition of the corporate practice of medicine, authorizing them to directly employ physicians, and instead provide a full exemption to local health care districts indefinitely.	
AB 1951 Hayashi	<u>Mental Health: Capital Facilities</u>	Vetoed
	Before this bill was amended, it would have required a psychologist, marriage and family therapist, educational psychologist, clinical social worker, or physician and surgeon to complete six hours of coursework in suicide prevention, assessment, intervention, and post-intervention strategies, including training in community resources and an understanding of cultural factors that promote help-seeking behavior as a condition of license renewal. This bill was later amended and no longer impacted the Department of Consumer Affairs.	
AB 2398 Nakanishi	<u>Cosmetic Surgery: Employment of Physicians & Surgeons</u>	Died on Senate Floor
	Would have authorized the Medical Board of California to revoke the license of a physician who is knowingly employed by a business that provides outpatient elective cosmetic medical procedures in violation of the corporate practice of medicine, and stipulated that a business that provides outpatient elective cosmetic medical procedures in violation of the corporate practice of medicine is guilty of a crime.	
AB 2439 De La Torre	<u>Steven M Thompson Physician Corps Loan Repayment Program</u>	Enacted Chapter 640
	Requires the Medical Board of California to charge a \$25 fee in addition to existing licensing fees and deposit this money in the Steven M. Thompson Physician Corps Loan Repayment Program. The \$25 supplemental fee will be charged at the time of initial licensure and each biennial license renewal.	
AB 2442 Nakanishi	<u>Medicine: Diversion Program</u>	Vetoed
	Would have repealed various reporting requirements related to the diversion program of the Medical Board of California, which became inoperative on July 1, 2008, and authorized the transfer of \$500,000 to the Steven Thompson Physician Corps Loan Repayment Program. (<i>Urgency Measure</i>)	
AB 2443 Nakanishi	<u>Medical Board of California: Physician & Surgeon Well-Being</u>	Vetoed
	Would have required the Medical Board of California to establish a physician wellness program, including, but not limited to, a list of specified activities. Would have specified that the program must be developed within existing resources unless otherwise authorized by the Budget Act.	

AB 2444 Nakanishi	<u>Medical Board of California: Disciplinary Actions</u> Authorizes the Medical Board of California to require a physician to complete training or education as part of a public letter of reprimand.	Enacted Chapter 242
AB 2445 Nakanishi	<u>Medical Board of California: Disciplinary Procedures</u> Authorizes the Medical Board of California to issue a license to a physician and concurrently issue a public letter of reprimand, in lieu of issuing a probationary license, for a minor violation of the Medical Practice Act.	Enacted Chapter 247
AB 2649 Ma	<u>Medical Assistants: Authorized Services</u> Would have stated that medical assistants are not authorized to perform specified procedures on persons who are diabetic or persons suffering from circulatory disorders affecting the extremities.	Vetoed
AB 2734 Krekorian	<u>Health Care Practitioners: Business Cards & Advertisements</u> Would have required dentists, physicians, osteopaths, and chiropractors to include their licensing information on advertisements and business cards. A violation by a licensed practitioner would be punishable by a fine and a violation by an unlicensed person would be a misdemeanor.	Failed on Assembly Floor
AB 2747 Berg	<u>End-of-Life Care</u> Requires physicians, nurses, and physician assistants to provide terminally ill patients with the opportunity to receive specified information and counseling regarding legal end of life care options, and requires providers who do not wish to comply with a patient's end of life decisions to refer the patient to an alternative provider and give the patient information on how to transfer.	Enacted Chapter 683
AB 2794 Blakeslee	<u>Diagnostic Imaging Services</u> Prohibits healing arts professionals from billing for diagnostic imaging services that are not actually rendered by the practitioner, and requires providers of diagnostic imaging services to bill patients directly for services.	Enacted Chapter 469
AB 2841 Ma	<u>Medical Procedures: Reusable Adipose Cannula</u> Would have required a physician to make specified disclosures to a patient before using a reusable adipose cannula, a device inserted into the body to remove fat tissue, in a medical procedure.	Died on Assembly Inactive File
AB 2968 Carter	<u>Cosmetic Surgery</u> Would have required a person to undergo a physical examination by a licensed physician, maxillofacial surgeon, nurse practitioner, or physician assistant, and receive a written clearance prior to any elective cosmetic surgery procedure from a physician or maxillofacial surgeon.	Vetoed
SB 761 Ridley- Thomas	<u>Healing Arts: Diversion: Investigations</u> Would have extended the Medical Board of California (Board) diversion program to July 1, 2010, required the Board to create and appoint a Diversion Advisory Council, extended the Board's vertical prosecution program's January 1, 2009 sunset date to January 1, 2011, and required	Died in Assembly Appropriations Committee

the Board to transition investigators who handle the most complex investigations into “special agent” classifications.

SB 907 Calderon	<u>Physicians & Surgeons: Referrals</u> Would have permitted a physician to provide consideration for a referral for an elective cosmetic procedure, if specified conditions are met.	Died in Senate Business, Professions & Economic Dev Committee
SB 1294 Ducheny	<u>Healing Arts</u> Would have extended an existing pilot project that authorizes qualified district hospitals to directly employ physicians, by five years, until 2017, and made several small expansions of the project.	Failed in Assembly Appropriations Committee
SB 1379 Ducheny	<u>Physician & Surgeon Loan Repayment</u> Directs the deposit of fines collected by the Department of Managed Health Care (DMHC) to the Steven Thompson Physician Corps Loan Repayment Program (Thompson Program), up to \$1 million per year, and directs fines in excess of \$1 million to the Major Risk Medical Insurance Program; and requires a one-time transfer from DMHC to the Thompson Program in the amount of \$1 million, and to the Major Risk Medical Insurance Program in the amount of \$10 million. (<i>Urgency Measure</i>)	Enacted Chapter 607
SB 1415 Kuehl	<u>Patient Records: Maintenance & Storage</u> Would have required specified healing arts practitioners to provide patients with a statement summarizing the patient's rights regarding medical records and the practitioner's record retention policy, and required healing arts practitioners to notify patients before the early destruction of their medical records.	Vetoed
SB 1454 Ridley-Thomas	<u>Healing Arts: Outpatient Settings</u> Would have strengthened requirements for advertisements and disclosures by healing arts practitioners, increased oversight and enforcement of the use of lasers and intense pulse light devices in cosmetic medical procedures, and increased oversight and enforcement of accredited outpatient medical settings.	Died on Assembly Floor
SB 1526 Perata	<u>Polysomnographic Technologists: Sleep & Wake Disorders</u> Would have required registration of individuals with the Medical Board of California (Board) in order to use the title “certified polysomnographic technologist” and engage in the practice of polysomnography. Also, would have required the Board to adopt regulations that establish the means and circumstances under which a physician may employ a polysomnographic technician or polysomnographic trainee.	Vetoed
SB 1579 Calderon	<u>Medical Referrals</u> Would have allowed licensed barbers and cosmetologists to be compensated for providing information and advice to their clients on hair loss, including a referral to a hair restoration physician for a hair restoration educational consultation.	Died in Senate Business, Professions & Economic Dev Committee

SB 1640 Ashburn	<u>Hospitals: Employment of Physicians</u>	Would have amended an existing pilot project that authorizes specified district hospitals to directly employ physicians to allow non-district hospitals in medically underserved areas to participate in the pilot project as well. Also would have extended the pilot project's sunset date by five years, from January 1, 2011 to January 1, 2016, and increased the number of physicians that can participate.	Died in Senate Business, Professions & Economic Dev Committee
SB 1779 Business, Professions & Econ Dev Com	<u>DCA Omnibus Bill</u>	Would have made several non-controversial, minor, non-substantive or technical changes to various provisions pertaining to the regulatory boards and bureaus of the Department of Consumer Affairs.	Vetoed
SB 1779 Business, Professions & Econ Dev Com	<u>DCA Omnibus Bill</u>	Would have made several non-controversial, minor, non-substantive or technical changes to various provisions pertaining to the regulatory boards and bureaus of the Department of Consumer Affairs.	Vetoed
SB 1779 Business, Professions & Econ Dev Com	<u>DCA Omnibus Bill</u>	Would have made several non-controversial, minor, non-substantive or technical changes to various provisions pertaining to the regulatory boards and bureaus of the Department of Consumer Affairs.	Vetoed
SB 328 Corbett	<u>Personal Information: Prohibited Practices</u>	Would have included a telephone calling pattern record or list in the definition of personal information; prohibited any person from obtaining or attempting to obtain, or disclosing personal information about a customer or employee contained in the records of a business; and provided civil remedies for violations of the provisions of this bill.	Died in Assembly Banking & Finance Committee
AB 2848 Hernandez	<u>Optometrists: Retired Licenses</u>	Would have exempted a licensee of the Board of Optometry (Board) from continuing education requirements and payment of the renewal fee if he or she applies to the Board for a retired license, and would have prevented him or her from engaging in the practice of optometry.	Died on Senate Inactive File

SB 1406 Correa	<u>Optometry</u> Allows an optometrist who graduated from an accredited school of optometry on or after May 1, 2000, to perform lacrimal irrigation and dilation procedures without additional certification, provides for a Glaucoma Diagnosis and Treatment Advisory Committee within the State Board of Optometry to consist of six members for purposes of assisting the Board in establishing certain requirements for glaucoma certification, requires the Committee to submit its final recommendations to the Office of Examination Resources (OER) within the Department of Consumer Affairs by April 1, 2009 and for the OER to present those recommendations and any modifications to the Board by July 1, 2009.	Enacted Chapter 352
SB 1415 Kuehl	<u>Patient Records: Maintenance & Storage</u> Would have required specified healing arts practitioners to provide patients with a statement summarizing the patient's rights regarding medical records and the practitioner's record retention policy, and required healing arts practitioners to notify patients before the early destruction of their medical records. 	Vetoed
AB 55 Laird	<u>Healing Arts: Referrals, Anti-Kickback Provisions</u> Creates specific exceptions to existing laws that generally preclude healing arts practitioners from receiving any consideration for the referral of a patient. Specifically, this statute stipulates that hospitals, group practices, and other specific persons are not prohibited from providing healing arts practitioners with electronic prescribing systems or electronic health record systems, as those are defined in federal regulations. (<i>Urgency Measure</i>)	Enacted Chapter 290
AB 2734 Krekorian	<u>Health Care Practitioners: Business Cards & Advertisements</u> Would have required dentists, physicians, osteopaths, and chiropractors to include their licensing information on advertisements and business cards. A violation by a licensed practitioner would have been punishable by a fine and a violation by an unlicensed person would be a misdemeanor.	Failed on Assembly Floor
SB 1441 Ridley-Thomas	<u>Healing Arts Practitioners: Substance Abuse</u> Establishes the Substance Abuse Coordination Committee within the Department of Consumer Affairs (Department) for the purpose of determining uniform standards to be used by healing arts boards in dealing with substance-abusing licensees, establishes diversion program manager positions in specified boards to review and evaluate recommendations of those boards' diversion evaluation committees, and states the intent of the Legislature that the Department perform an audit of the existing contractor for several boards' diversion programs. 	Enacted Chapter 548
AB 10 De La Torre	<u>Health Care</u> The introduced version of this bill would have allowed a health care provider, health care service plan, contractor, or corporation to use personal medical information to provide a written communication to a	Enacted Chapter 753

pharmacy patient during a face-to-face interaction and assist the pharmacist in providing useful information to the patient regarding a prescription drug. The bill was later amended to impact the Labor Code.

AB 1574 Plescia	<u>Surgical Clinics: Licensure</u>	Vetoed
	Would have provided that a surgical clinic that is licensed by the State Department of Public Health, accredited by an accreditation agency, or certified to participate in the Medicare Program is not entitled to specified benefits until it had obtained a license issued by the Board of Pharmacy.	
AB 1947 Emmerson	<u>Pharmacy Technicians</u>	Died in Assembly Business & Professions Committee
	Would have authorized the Board of Pharmacy (Board) to issue a pharmacy technician license to an individual if that individual was a high school graduate or possessed a general educational development certificate equivalent, was certified by the Pharmacy Technician Certification Board or passed a pharmacy technician examination approved by the Board, and had either obtained a specified associate's degree, completed a specified course of training, or graduated from a specified school of pharmacy.	
AB 2690 Krekorian	<u>Product Liability Actions: Prescription Pharmaceutical Products</u>	Died on Assembly Inactive File
	Would have declared that a manufacturer of a prescription pharmaceutical product shall not be relieved of a duty to warn consumers of the risks and side effects of that product solely because the product was prescribed to a patient by a physician, if that product is advertised directly to consumers.	
AB 2756 Duvall	<u>Pharmacists: Furnishing Drugs During Emergency</u>	Died on Senate Inactive File
	Would have specified that, for purposes of furnishing dangerous drugs or devices during a federal, state, or local emergency, a pharmacist is not required to await a declaration of emergency so long as the declaration is reasonably anticipated due to the severity of the emergency or natural disaster.	
SB 1096 Calderon	<u>Medical Information</u>	Died in Assembly Health Committee
	Would have allowed a pharmacy to make written communications to a patient, without the patient's authorization, under specified conditions.	
SB 1270 Cedillo	<u>Pharmacy: Electronic Pedigree Task Force</u>	Died in Assembly Appropriations Committee
	Would have required the Board of Pharmacy (Board) to establish the Electronic Pedigree Task Force and would have required the staff of the Board to support the needs of the task force. Would have imposed specified duties on the task force, including the duty to submit an annual report regarding task force findings to the Board and specified legislative committees. Would have made the provisions regarding the task force inoperative on the later of July 1, 2012, or the date upon which requirements for a pedigree become effective, and would repeal those provisions as of January 1 of the next year.	
SB 1307 Ridley-Thomas	<u>Pharmacy: Pedigree</u>	Enacted Chapter 713
	Moves the compliance date that prohibits a wholesaler from selling, trading, transferring, or acquiring a dangerous drug without receiving a pedigree from January 1, 2009 to January 1, 2015 , establishes a	

graduated implementation schedule for drug manufacturers that requires compliance with the e-pedigree requirement for 50 percent of drugs by January 1, 2015, and the remaining 50 percent of drugs by January 2016, and requires manufacturers to inform the Board of Pharmacy of the drugs it designates for each implementation cycle and require a pedigree to include a unique identification number.

**SB 1441
Ridley-
Thomas**

Healing Arts Practitioners: Substance Abuse

**Enacted
Chapter 548**


Establishes the Substance Abuse Coordination Committee within the Department of Consumer Affairs (Department) for the purpose of determining uniform standards to be used by healing arts boards in dealing with substance-abusing licensees, establishes diversion program manager positions in specified boards to review and evaluate recommendations of those boards' diversion evaluation committees, and states the intent of the Legislature that the Department perform an audit of the existing contractor for several boards' diversion programs.

**SB 1779
Business,
Professions
& Econ Dev
Com**

DCA Omnibus Bill

Vetoed

Would have made several non-controversial, minor, non-substantive or technical changes to various provisions pertaining to the regulatory boards and bureaus of the Department of Consumer Affairs.



**AB 2111
Smyth**

Physical Therapy Regulation

**Enacted
Chapter 301**

Increases application, initial licensure, and license renewal fees for physical therapists and physical therapy assistants. Also, authorizes the Physical Therapy Board to disqualify an applicant or revoke the license of a person who impersonates or acts as a proxy for an examinee.

**SB 1441
Ridley-
Thomas**

Healing Arts Practitioners: Substance Abuse

**Enacted
Chapter 548**


Establishes the Substance Abuse Coordination Committee within the Department of Consumer Affairs (Department) for the purpose of determining uniform standards to be used by healing arts boards in dealing with substance-abusing licensees, establishes diversion program manager positions in specified boards to review and evaluate recommendations of those boards' diversion evaluation committees, and states the intent of the Legislature that the Department perform an audit of the existing contractor for several boards' diversion programs.

**SB 1779
Business,
Professions
& Econ Dev
Com**

DCA Omnibus Bill

Vetoed

Would have made several non-controversial, minor, non-substantive or technical changes to various provisions pertaining to the regulatory boards bureaus of the Department of Consumer Affairs.



**AB 638
Bass**

California Physician Assistant Loan Assumption Program

**Enacted
Chapter 628**

Creates the California Physician Assistant Scholarship and Loan Repayment Program within the Health Professions Education Foundation

to provide scholarships to physician assistant students and to repay qualifying educational loans of physician assistants who practice in medically underserved areas of the state and in specified clinics. Also directs the deposit of voluntary contributions made by a physician assistant upon renewal of his or her license into the Program.

AB 2482
Maze

Physician Assistants: Continuing Education

Enacted
Chapter 76

Requires completion of continuing education for license renewal of all licensed physician assistants.

AB 2747
Berg

End-of-Life Care

Enacted
Chapter 683

Requires physicians, nurses, and physician assistants to provide terminally ill patients with the opportunity to receive specified information and counseling regarding legal end-of-life care options, and requires providers who do not wish to comply with a patient's end-of-life decisions to refer the patient to an alternative provider and give the patient information on how to transfer.

SB 1441
Ridley-Thomas

Healing Arts Practitioners: Substance Abuse

Enacted
Chapter 548

Establishes the Substance Abuse Coordination Committee within the Department of Consumer Affairs (Department) for the purpose of determining uniform standards to be used by healing arts boards in dealing with substance-abusing licensees, establishes diversion program manager positions in specified boards to review and evaluate recommendations of those boards' diversion evaluation committees, and states the intent of the Legislature that the Department perform an audit of the existing contractor for several boards' diversion programs.

AB 55
Laird

Healing Arts: Referrals, Anti-Kickback Provisions

Enacted
Chapter 290

Creates specific exceptions to existing laws that generally preclude healing arts practitioners from receiving any consideration for the referral of a patient. Specifically, this statute stipulates that hospitals, group practices, and other specific persons are not prohibited from providing healing arts practitioners with electronic prescribing systems or electronic health record systems, as those are defined in federal regulations. **(Urgency Measure)**

SB 1415
Kuehl

Patient Records: Maintenance & Storage

Vetoed

Would have required specified healing arts practitioners to provide patients with a statement summarizing the patient's rights regarding medical records and the practitioner's record retention policy, and required healing arts practitioners to notify patients before the early destruction of their medical records.

SB 1779
Business,
Professions
& Econ Dev
Com

DCA Omnibus Bill

Vetoed

Would have made several non-controversial, minor, non-substantive or technical changes to various provisions pertaining to the regulatory boards and bureaus of the Department of Consumer Affairs.

**AB 1182
Niello**

California Private Postsecondary Education Act of 2008

Would have established the California Private Postsecondary Education Act of 2008, which would have created the Bureau for Private Postsecondary Education within the Department of Consumer Affairs for the purpose of regulating private postsecondary educational institutions offering or providing educational services in California, and established various requirements, prohibitions, and standards for these institutions.

**Died in
Assembly
Higher
Education
Committee**

**AB 2746
Niello**

California Private Postsecondary Education Act of 2008

Would have established the California Private Postsecondary Education Act of 2008, which would have created the Bureau for Private Postsecondary Education within the Department of Consumer Affairs for the purpose of regulating private postsecondary educational institutions offering or providing educational services in California, and established various requirements, prohibitions, and standards for these institutions.

**Died in
Assembly
Appropriation
Committee**

**SB 823
Perata**

California Private Postsecondary Education Act of 2008

Would have established the California Private Postsecondary Education Act of 2008, which would have created the Bureau for Private Postsecondary Education within the Department of Consumer Affairs for the purpose of regulating private postsecondary educational institutions offering or providing educational services in California, and established various requirements, prohibitions, and standards for these institutions.

Vetoed

**SB 963
Ridley-
Thomas**

Department of Consumer Affairs: Regulatory Boards

If SB 823 (Perata) had passed, this bill would have extended the sunset date for the Bureau for Private Postsecondary Education from July 1, 2009 to January 1, 2011.

**Enacted
Chapter 385**

**SB 1355
Corbett**

Postsecondary Education: Private Student Loans

Would have required public and private postsecondary educational institutions to provide students with various information and disclosures regarding federal and private educational loans.



Vetoed



**AB 1951
Hayashi**

Mental Health: Capital Facilities

Before this bill was amended, it would have required a psychologist, marriage and family therapist, educational psychologist, clinical social worker, or physician and surgeon to complete six hours of coursework in suicide prevention, assessment, intervention, and post-intervention strategies, including training in community resources and an understanding of cultural factors that promote help-seeking behavior as a condition of license renewal. This bill was later amended and no longer impacted the Department of Consumer Affairs.

Vetoed

SB 963 Ridley-Thomas	<u>Department of Consumer Affairs: Regulatory Boards</u> Extends the sunset date for the Board of Psychology from July 1, 2009 to January 1, 2011.	Enacted Chapter 385
SB 1427 Calderon	<u>Psychologists: Scope of Practice: Prescribing Drugs</u> Would have authorized the Board of Psychology to establish and administer a certification process through new fees to grant licensed psychologists the authority to write prescriptions if certain conditions are met. 	Died in Senate Business, Professions & Economic Dev Com
AB 1436 Hernandez	<u>Nurse Practitioners</u> Would have authorized a nurse practitioner (NP) to perform comprehensive health care services, including services through psychosocial assessment, physical diagnosis, and management of health and illness needs for which the NP is educationally prepared and competent to perform, and to admit and discharge patients from health facilities in collaboration with a physician and surgeon or doctor of osteopathy.	Died in Senate Education Committee
AB 2747 Berg	<u>End-of-Life Care</u> Requires physicians, nurses, and physician assistants to provide terminally ill patients with the opportunity to receive specified information and counseling regarding legal end of life care options, and requires providers who do not wish to comply with a patient's end of life decisions to refer the patient to an alternative provider and give the patient information on how to transfer.	Enacted Chapter 683
SB 1441 Ridley-Thomas	<u>Healing Arts Practitioners: Substance Abuse</u> Establishes the Substance Abuse Coordination Committee within the Department of Consumer Affairs (Department) for the purpose of determining uniform standards to be used by healing arts boards in dealing with substance-abusing licensees, establishes diversion program manager positions in specified boards to review and evaluate recommendations of those boards' diversion evaluation committees, and states the intent of the Legislature that the Department perform an audit of the existing contractor for several boards' diversion programs.	Enacted Chapter 548
SB 1779 Business, Professions & Econ Dev Com	<u>DCA Omnibus Bill</u> Would have made several non-controversial, minor, non-substantive or technical changes to various provisions pertaining to the regulatory boards and bureaus of the Department of Consumer Affairs. 	Vetoed
SB 1779 Business, Professions & Econ Dev Com	<u>DCA Omnibus Bill</u> Would have made several non-controversial, minor, non-substantive or technical changes to various provisions pertaining to the regulatory boards and bureaus of the Department of Consumer Affairs.	Vetoed

SB 1125 Denham	<u>Polysomnographic Technologist Act</u> Would have provided for the licensing and regulation of Polysomnographic Technologists by the Respiratory Care Board of California. 	Died in Senate Business, Professions & Economic Dev
AB 2423 Bass	<u>Professions and Vocations: Licensure</u> Establishes or modifies the authority and procedures for granting an initial probationary license, and establishes special procedures for the denial of a license based on an applicant's criminal history, for the Bureau of Security and Investigative Services, within the Department of Consumer Affairs.	Enacted Chapter 675
AB 2498 Saldana	<u>Firearms Training: Eligibility To Possess Firearms</u> Would have required firearms training facilities that have a contract for firearms training with the federal government to verify the eligibility of individuals seeking training to possess a firearm.	Vetoed
AB 2592 Ma	<u>Locksmiths</u> Makes numerous changes to existing laws regulating locksmiths. Among other things, increases penalties for unlicensed locksmiths and establishes various new requirements for licensed locksmiths.	Enacted Chapter 679
SB 1209 Maldonado	<u>Private Security Services</u> Would have repealed and recast the Proprietary Security Services Act, which required registration of proprietary private security officers by the Bureau of Security and Investigative Services, to grant the Bureau enforcement authority and to require registration of proprietary private security employers.	Died in Assembly Appropriations Committee
SB 1282 Margett	<u>Private Investigators: Continuing Education</u> Would have required private investigators licensed by the Bureau of Security and Investigative Services (Bureau) to complete 12 hours of continuing education from a continuing education provider approved by the Bureau as a condition of biennial license renewal, beginning January 1, 2012.	Vetoed
SB 1469 Calderon	<u>Collateral Recovery: Tow Vehicles</u> Would have authorized the impoundment of a vehicle used by an unlicensed reposessor, made various minor changes to the Collateral Recovery Act, made changes relating to the retrieval of impounded vehicles by legal owners and/or their agents, and made minor changes to traffic laws regarding towing requirements for reposseors. 	Vetoed
AB 1545 Eng	<u>Professions & Vocations: Speech-Language Pathology & Audiology</u> Establishes a new Speech-Language Pathology & Audiology Board (Board), within the Department of Consumer Affairs, on January 1, 2009, and establishes the authorization for the new board to appoint an executive officer. The Board and the authorization to appoint an executive officer	Enacted Chapter 35

sunset on July 1, 2008. Also establishes guidelines to allow the former members and executive officer of the Board who were members and executive officer at the time the Board sunset to serve in an interim capacity until board members and an executive officer are appointed to the new Board.

**SB 797
Ridley-
Thomas**

Professions & Vocations

**Enacted
Chapter 33**

Allows the executive officers of the following boards-Dental Board, Speech-Language Pathology and Audiology Board, Board of Vocational Nursing and Psychiatric Technicians and Board of Barbering and Cosmetology, which sunset on July 1, 2008, to continue in their positions, operating under the Department of Consumer Affairs past their inoperative dates, subject to the appointment by the governor, until January 1, 2009.
(Urgency Measure)



**AB 2423
Bass**

Professions & Vocations: Licensure

**Enacted
Chapter 675**

Establishes or modifies the authority and procedures for granting an initial probationary license, for the Structural Pest Control Board within the Department of Consumer Affairs, and establishes special procedures for the denial of a license based on an applicant's criminal history.

**SB 824
Padilla**

Department of Consumer Affairs: Assumption of Jurisdiction

**Died in Senate
Business,
Professions &
Economic Dev
Committee**

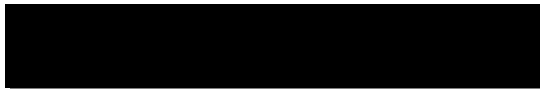
Would have deleted obsolete implementation dates and language regarding the Cemetery Board, the Funeral Directors and Embalmers Board, and the Structural Pest Control Board.

**SB 1206
Calderon**

Pest Control

**Enacted
Chapter 46**

Authorizes a branch 2 or branch 3 registered company to advertise fumigation or any all encompassing treatment if the company complies with specified requirements.



**SB 731
Oropeza**

Massage Therapy

**Enacted
Chapter 384**

Provides for the certification of massage practitioners and massage therapists by the Massage Therapy Organization (Organization); makes the Organization subject to review by the Joint Committee on Boards, Commissions, and Consumer Protection (Joint Committee); prohibits a city, county, or other political jurisdiction from enacting or enforcing an ordinance relating to the practice of massage against an individual who is certified under the provisions of this bill, and sunsets these provisions effective January 1, 2016.

**SB 963
Ridley-
Thomas**

Department of Consumer Affairs: Regulatory Boards

**Enacted
Chapter 385**

Extends the sunset date for the Acupuncture Board, Athletic Commission, Board of Behavioral Sciences, Contractors State License Board, Court Reporters Board, Board for Geology & Geophysicists, and the Board of Psychology within the Department of Consumer Affairs, which are scheduled to become inoperative July 1, 2009, to January 1, 2011. Also

would have established a January 1, 2013 sunset date for the Bureau for Private Postsecondary Education if SB 823 (Perata) had passed.

No bills introduced in the 2007 legislative session

AB 1760
Galgiani

Veterinarians & Registered Veterinary Technicians

Vetoed

Would have required the California Veterinary Medical Board (Board) to offer the veterinary licensing exam at least twice a year, clarified that the Governor appoints one public member to the Board, and authorized the Board to cite, fine, and take punitive action on registered veterinary technicians who violate the Veterinary Medicine Practice Act.

AB 2423
Bass

Professions and Vocations: Licensure

Enacted
Chapter 675

Establishes or modifies the authority and procedures for granting an initial probationary license for the Board of Veterinary Medicine, within the Department of Consumer Affairs, and establishes special procedures for the denial of a license based on an applicant's criminal history.

AB 2427
Eng

Professions & Vocations

Vetoed

Would have amended the Business and Professions Code to explicitly state that local governments could not regulate or prohibit licensees of health care professions in the Department of Consumer Affairs from performing established occupational practices that are within the scope of their license.

SB 1205
Aanestad

Veterinary Medicine

Failed in Senate
Business,
Profession &
Economic Dev
Committee

Would have established an advisory committee to the Veterinary Medical Board (Board); made changes to the Registered Veterinary Technician (RVT) Committee; clarified eligibility criteria of education for the RVT; and prioritized cases handled by the Board for purposes of investigation and prosecution.

SB 1584
Padilla

Veterinary Medicine: Fees

Enacted
Chapter 529

Increases various fees for veterinarians and registered veterinary technicians, establishes a committee to assist the Veterinary Medical Board, sets investigatory and enforcement priorities, and makes other changes to the Veterinary Medicine Practice Act.

AB 1545
Eng

Professions & Vocations: Vocational Nursing

Enacted
Chapter 35

Establishes a new Board of Vocational Nursing & Psychiatric Technicians (Board), within the Department of Consumer Affairs, on January 1, 2009, and establishes the authorization for the new Board to appoint an executive officer. The Board and their authorization to appoint an executive officer sunset on July 1, 2008. Also establishes guidelines to allow the former

members and executive officer of the Board who were members and executive officer at the time the Board sunset to serve in an interim capacity until board members and an executive officer are appointed to the new Board.

AB 1927
Galgiani

Vocational Nursing & Psychiatric Technicians

Enacted
Chapter 299

Requires the Board of Vocational Nursing and Psychiatric Technicians to deny or revoke accreditation for any psychiatric technician school that does not give student applicants credit in the fields of nursing and psychiatric technician practice for previous education and the opportunity to obtain credit for other acquired knowledge by the use of challenge examinations or other methods of evaluation.

AB 2423
Bass

Professions & Vocations: Licensure

Enacted
Chapter 675

Establishes or modifies the authority and procedures for granting an initial probationary license, for the Board of Vocational Nursing and Psychiatric Technicians, within the Department of Consumer Affairs, and establishes special procedures for the denial of a license based on an applicant's criminal history.

SB 797
Ridley-
Thomas

Professions & Vocations

Enacted
Chapter 33

Allows the executive officers of the following boards-Dental Board, Speech-Language Pathology and Audiology Board, Board of Vocational Nursing and Psychiatric Technicians and Board of Barbering and Cosmetology, which sunset on July 1, 2008, to continue in their positions, operating under the Department of Consumer Affairs past their inoperative dates, subject to the appointment by the governor, until January 1, 2009.
(Urgency Measure)